

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

IN RE: Ketterling, Nathan & Amanda
Debtor(s)

Case No. 08-30910
Chapter 13

SECOND MODIFIED CHAPTER 13 PLAN

Date: April 6, 2011

YOUR RIGHTS WILL BE AFFECTED. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provisions of this plan or any motion included below must file a timely written objection. This plan may be confirmed and the motions included below may be granted without further notice or hearing unless written objection is filed before the deadline stated on the separate Notice you should have received from the bankruptcy court. If you have a secured claim, this is notice that your lien may be voided or modified if you do not object to this plan.

THIS PLAN DOES NOT ALLOW CLAIMS. You must file a proof of claim to be paid under any plan that may be confirmed.

1. PAYMENT AND LENGTH OF PLAN

- (a) As of the date of this plan, the debtors have paid to the trustee: \$25,282.86
(b) Starting April 30, 2011, the Debtors will pay **\$ 1,025.00** per month for 30 months to trustee: \$30,750.00
(c) Other payments to trustee: None
(d) Total amount to be paid to Trustee shall be not less than **\$56,032.86**

2. PRIORITY CLAIMS (INCLUDING ADMINISTRATIVE EXPENSES & SUPPORT

All allowed priority claims will be paid in full unless creditor agrees otherwise:

Creditor:	Scheduled Amount:	Monthly Payment:	Beginning in Month #:	Number of Payments:	TOTAL:
Bulie Law Office	\$2,700.00				\$2,700.00
Bulie Law Office <i>Modified Plan Fees</i>	\$ 500.00	\$250.00	26	2	\$500.00
Internal Revenue Service	\$1,647.00	<i>Remaining claim paid by IRS offset outside of plan 3.18.2011 – Total payments as of 4.6.2011:</i>			\$181.09
Total Priority Claims:					\$3,381.09

3. SECURED CLAIMS: MOTIONS TO VALUE COLLATERAL AND VOID LIENS UNDER 11 U.S.C. §506.

- (a) Debtor moves to value collateral as indicated in the “value” column immediately below. Trustee shall pay allowed secured claims the value indicated or the amount of the claim, whichever is less. The portion of any allowed claim that exceeds the value indicated shall be treated as an unsecured claim. Debtor moves to void the lien of any creditor with “NO VALUE” specified below.

Creditor	Collateral	Scheduled Debt	Value	Interest Rate	Beginning in Month:	# of Payments:	Monthly Payment	Subtotal
Burlington Northern Fed. Credit Union	2004 Dodge Stratus	\$11,510.00	\$ 9,253.50	9%	Vehicle was totaled in motor vehicle accident. Remaining claim was paid with insurance proceeds: Total paid in plan as of 4/6/2011:			\$4,694.89
(3a) Secured Claims - Total Payments: \$4,694.89								

- (b) Debtor retains the following collateral and the trustee will pay, on account of the following secured claims, the amount set forth in the "Total Payments" column, below. The creditors will retain liens securing the allowed secured claims until the payment of the debt is paid in full or on the date of the debtor's discharge. **Creditor shall release the title to the Debtor's attorney when this claim is paid in full by the trustee.**

Creditor	Collateral	Scheduled Debt	Interest Rate	Beginning in Month:	# of Payments	Monthly Payment	Subtotal	
Bank of the West	2002 Dodge Ram 2500	\$18,012.64	7.75%	Total paid as of 4/6/2011:			\$11,408.50	\$21,114.12
				31	1	\$4,187.07	\$ 4,187.07	
				32	5	\$922.50	\$ 4,612.50	
				37	1	\$906.05	\$ 906.05	

- (c) Debtor surrenders or abandons the following collateral. Upon confirmation, the stay is lifted as to surrendered or abandoned collateral

Creditor:	Collateral to be Surrendered or Abandoned:
Wells Fargo Home Mortgage	Home

- (d) Debtor retains the following collateral and keeps payments current. Payments will be made directly to creditor outside of plan.

Creditor:	Collateral:	Scheduled Debt:	Monthly Payment:
Burlington Northern CU	Hot Springs Tub (Sold after filing)	\$1,154.00	\$ 100.00
Yamaha Finance	2006 Yamaha Wave Runner	\$8,000.00	\$ 95.00

4. UNSECURED CLAIMS

- (a) **Not Separately Classified.** Allowed non priority unsecured claims shall be paid:

____ Not less than \$_____ to be distributed pro rata

X Not less than 30.89 per cent

____ Other: _____

(b) Separately Classified Unsecured Claims

Creditor:	Basis for Classification:	Treatment:	Amount:
NONE			

5. CURING DEFAULT AND MAINTAINING PAYMENTS

- (a) Trustee shall pay allowed claims for arrearages, and Trustee shall pay regular post petition contract payments to these creditors: NONE

- (b) Trustee shall pay allowed claims for arrearages, and Debtor shall pay regular post petition contract payments directly to these creditors: NONE

6. EXECUTORY CONTRACTS AND UNEXPIRED LEASES.

Executory contracts and unexpired leases are assumed or rejected as follows:

Creditor/Lessor:	Property Description:	Assume/Reject:
NONE		

7. SUMMARY OF PLAN PAYMENTS AND DISTRIBUTIONS.

As of the date of this plan, the debtors have paid to the trustee: \$25,282.86
 Starting April 30, 2011, the Debtors will pay **\$ 1025.00** per
 month for 30 months to trustee: \$30,750.00

Total to be Paid into Plan \$ 56,032.86

Payments from Plan:

Priority & Administrative Claims

Trustee	\$ 5,603.29
Attorney Fees	\$ 2,700.00
Additional Attorney Fees	\$ 500.00
Priority Unsecured	\$ 181.09
Other	\$

Total Priority & Administrative Payments from Plan \$ 8,984.38

Secured Debt to be paid through Plan – *Cramdowns* \$ 4,694.89

Other Secured Debt to be paid through Plan – *Bank of the West* \$ 21,114.12

Arrearage Secured Debt Payments to be paid through Plan \$

Total Priority, Administrative, and Secured Debt Paid from Plan \$ 34,793.39

Balance available for Unsecured Creditors \$ 21,239.47

Unsecured Portion from Schedule D: \$ 2,256.50

Unsecured Debt from Schedule F: \$ 66,508.00

Total Unsecured Debt: \$ 68,764.50

Percent payable on unsecured debt: **30.89 %**

8. OTHER PLAN PROVISIONS AND MOTIONS

(a) **Motion to Avoid Liens under 11 U. S. C. § 522(f).** Debtor moves to avoid the following liens that impair exemptions:

Creditor:	Collateral:	Amount of Liens to be Avoided:
NONE		

(b) **Lien Retention.** Except as provided above in Section 5, allowed secured claim holders retain liens until:

☐ Liens are released at discharge.

☒ Liens are released upon payment of allowed secured claim as provided above in Section 3.

☐ Liens are released upon completion of all payments under the plan.

(c) **Vesting of Property of the Estate.** Property of the estate shall revert in Debtor:

☒ Upon confirmation

☐ Upon Discharge

☐ Other: _____

(d) **Payment Notices.** Creditors and lessors provided for above in Sections 5 or 6 may continue to mail customary notices or coupons to the Debtor or Trustee notwithstanding the automatic stay.

(e) **Order of Distribution.** Trustee shall pay allowed claims in the following order:

Trustee Commissions
Other Administrative Claims
Priority Claims
Secured Claims
General Unsecured Claims

(f) **Debtors commit all disposable income to the plan.**

Dated: 4/12/2011

/s/ NATHAN KETTERLING
Signature of Debtor

/s/ SARA E. DIAZ
Signature of Debtor's Attorney

/s/ AMANDA KETTERLING
Signature of Joint Debtor (if any)